

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|-------------------------------|---|----------------------|
| SMART LOCAL 265 WELFARE FUND, |) | |
| <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | CIVIL ACTION |
| |) | |
| vs. |) | NO. 19 C 909 |
| |) | |
| J & B MECHANICAL, INC., |) | JUDGE MANISH S. SHAH |
| an Illinois corporation, |) | |
| |) | |
| Defendant. |) | |

MOTION FOR ENTRY OF JUDGMENT

Plaintiffs, by and through their attorneys, default having been entered against the Defendant on March 26, 2019, request this Court enter judgment against Defendant, J & B MECHANICAL, INC., an Illinois corporation. In support of this Motion, Plaintiffs state:

1. On March 26, 2019, this Court entered default against Defendant and granted Plaintiffs' request for an order directing Defendant to turn over its monthly fringe benefit contribution reports for the time period June 2018 and December 2018 through the present within 14 days of the entry of said Order. The Court also entered an order that judgment would be entered after Plaintiffs' received the required contribution reports and determined the amounts due and owing from Defendant.

2. In lieu of submission of monthly fringe benefit contribution reports by the Defendant, Plaintiff Funds received check stubs from an employee of the Defendant indicating hours worked for the Defendant for the time period July 2018 through November 2018. After application of partial payments received from the Defendant, the Plaintiff Funds calculate Defendant is delinquent in

contributions to the Funds for the stated time period in the amount of \$15,630.40. (See Affidavit of Kevin J. Schell).

3. Additionally, the amount of \$1,563.04 is due for liquidated damages. (Schell Aff. Par. 5).

4. In addition, Plaintiffs' firm has expended \$485.00 for costs and \$2,300.00 for attorneys' fees in this matter. (See Affidavit of Catherine M. Chapman).

5. Based upon the documents attached hereto, Plaintiffs request entry of judgment in the total amount of \$19,493.44.

WHEREFORE, Plaintiffs respectfully request this Court to enter judgment in the amount of \$19,493.44.

/s/ Cecilia M. Scanlon

Cecilia M. Scanlon
Attorney for the Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: (312) 216-2577
Facsimile: (312) 236-0241
E-Mail: cscanlon@baumsigman.com

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that she electronically filed the foregoing document (Motion for Entry of Judgment) with the Clerk of Court using the CM/ECF system, and further certifies that I have mailed the above-referenced document by United States Mail to the following non-CM/ECF participant on or before the hour of 5:00 p.m. this 9th day of April 2019:

Ms. Jo Slavich, Registered Agent/President
J & B Mechanical, Inc.
128 W. Pratt Boulevard
Roselle, IL 60172-5011

/s/ Cecilia M. Scanlon _____

Cecilia M. Scanlon
Attorney for the Plaintiffs
BAUM SIGMAN AUERBACH & NEUMAN, LTD.
200 West Adams Street, Suite 2200
Chicago, IL 60606-5231
Bar No.: 6288574
Telephone: 312/216-2577
Facsimile: 312/236-0241
E-Mail: cscanlon@baumsigman.com